

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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JANE HOCHBERG,

Plaintiff,

07 CV 3470 (NRB) (JCF)

-against-

**VERIFIED ANSWER  
TO AMENDED  
VERIFIED COMPLAINT**

WORLD ZIONIST ORGANIZATION-  
AMERICAN SECTION, INC.,

Defendant.

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Defendant World Zionist Organization – American Section, Inc. answers the  
Amended Verified Complaint (“Complaint”) as follows:

1. Admits the allegations contained in paragraph 1 of the Complaint.
2. Admits the allegations contained in paragraph 2 of the Complaint and states that Defendant is a domestic not-for-profit corporation.
3. Admits the allegations contained in paragraph 3 of the Complaint.
4. Admits the allegations contained in paragraph 4 of the Complaint.
5. Admits the allegations contained in paragraph 5 of the Complaint.
6. Admits the allegations contained in paragraph 6 of the Complaint.
7. Admits the allegations contained in paragraph 7 of the Complaint.
8. Admits the allegations contained in paragraph 8 of the Complaint.
9. Admits the allegations contained in paragraph 9 of the Complaint.
10. Denies the allegations contained in paragraph 10 of the Complaint.
11. Admits the allegations contained in paragraph 11 of the Complaint.
12. Admits the allegations contained in paragraph 12 of the Complaint.

**FIRST CAUSE OF ACTION**

13. Defendant repeats each response to paragraphs numbered 1 through 12 of the Complaint as if fully set forth herein.
14. Denies the allegations contained in paragraph 14 of the Complaint.
15. Denies the allegations contained in paragraph 15 of the Complaint.
16. Denies the allegations contained in paragraph 16 of the Complaint.
17. Admits the allegations contained in paragraph 17 of the Complaint.
18. Admits the allegations contained in paragraph 18 of the Complaint.
19. Admits the allegations contained in paragraph 19 of the Complaint.
20. Denies the allegations contained in paragraph 20 of the Complaint.
21. Denies the allegations contained in paragraph 21 of the Complaint.
22. Denies the allegations contained in paragraph 22 of the Complaint.
23. Denies the allegations contained in paragraph 23 of the Complaint.
24. Denies the allegations contained in paragraph 24 of the Complaint.
25. Denies the allegations contained in paragraph 25 of the Complaint.
26. Denies the allegations contained in paragraph 26 of the Complaint.
27. Defendant repeats each response to paragraphs number 1 through 26 as if fully set forth herein.
28. Denies the allegations contained in paragraph 28 of the Complaint.
29. Denies the allegations contained in paragraph 29 of the Complaint.
30. Denies the allegations contained in paragraph 30 of the Complaint.
31. Denies the allegations contained in paragraph 31 of the Complaint.
32. Denies the allegations contained in paragraph 32 of the Complaint.

33. Denies the allegations contained in paragraph 33 of the Complaint.

34. Denies the allegations contained in paragraph 34 of the Complaint.

### **SECOND CAUSE OF ACTION**

35. Defendant repeats each response to paragraphs numbered 1 through 34 of the Complaint as if fully set forth herein.

36. Denies the allegations contained in paragraph 36 of the Complaint.

37. Denies the allegations contained in paragraph 37 of the Complaint.

38. Denies the allegations contained in paragraph 38 of the Complaint.

39. Denies the allegations contained in paragraph 39 of the Complaint.

40. Denies the allegations contained in paragraph 40 of the Complaint.

### **THIRD CAUSE OF ACTION**

41. Defendant repeats each response to paragraphs numbered 1 through 40 of the Complaint as if fully set forth herein.

42. Denies the allegations contained in paragraph 42 of the Complaint.

43. Denies the allegations contained in paragraph 43 of the Complaint.

44. Denies the allegations contained in paragraph 44 of the Complaint.

**FIRST AFFIRMATIVE DEFENSE**

45. The Complaint should be dismissed for failure to state a cause of action.

**SECOND AFFIRMATIVE DEFENSE**

46. Plaintiff worked in a “bona fide executive, administrative or professional capacity” as defined in 29 U.S.C. § 213(a)(1), and is an “exempt” employee and not entitled to receive compensation for excess weekly hours above the applicable maximum hours.

**THIRD AFFIRMATIVE DEFENSE**

47. Plaintiff worked in a “bona fide executive, administrative or professional capacity” as defined in 29 U.S.C. § 213(a)(1), and is an exempt employee and not entitled to receive compensation for excess weekly hours above the applicable maximum hours pursuant to New York Labor Law §142-2.4.

**FOURTH AFFIRMATIVE DEFENSE**

48. Plaintiff is not entitled to any relief because as a Controller, Plaintiff was an executive, administrative or a professional employee under federal and state law.

**FIFTH AFFIRMATIVE DEFENSE**

49. Plaintiff’s claim is barred by the Statute of Frauds.

**SIXTH AFFIRMATIVE DEFENSE**

50. Plaintiff was paid in full and is entitled to no damages.

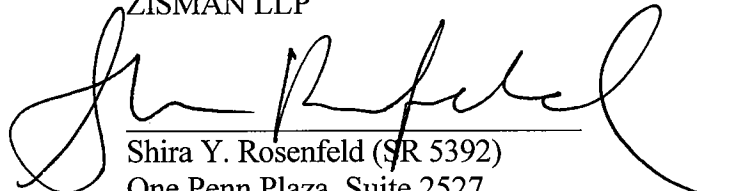
**SEVENTH AFFIRMATIVE DEFENSE**

51. The Exhibit to the original Verified Complaint is an inauthentic document.

WHEREFORE, Defendants demand judgment dismissing the Complaint and awarding Defendants the costs and disbursements of this action and such other and further relief as to this court deems just and proper.

Dated: New York, New York  
August 16, 2007

SHIBOLETH, YISRAELI, ROBERTS &  
ZISMAN LLP

A large, stylized handwritten signature in black ink, likely belonging to Shira Y. Rosenfeld, is written over a horizontal line.

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